

DOCKET FILE COPY ORIGINAL



IN REPLY REFER TO:

United States Department of the Interior**BUREAU OF INDIAN AFFAIRS
MANY FARMS HIGH SCHOOL****P.O. Box 307
Many Farms, Arizona 86538
(928) 781-6226/6227
PI X (928) 781-6355
January 17, 2003****RECEIVED****JAN 17 2003****FEDERAL COMMUNICATIONS COMMISSION****FCC, Office of the Secretary****445-12th Street SW****Washington, D.C. 20554****Federal Communications Commission
Office of the Secretary****Re: CC Docket Nos. 96-45 and 97-21**

This is an appeal to the Denial of a request for extension in accordance with the letter we received that was dated November 22, 2002.

It is the intent of this appeal to show that the delay was beyond the control of the service provider, Expanets.

Many Farms High School is an educational program funded and operated by the U. S. Bureau of Indian Affairs and as such must purchase in accordance with Federal regulations.

The student population of Many Farms High School is 100% members of the Navajo Tribe. Currently, 94% of the Many Farms High School students are on free or reduced USDA meals.

On May 9, 2002, Many Farms High School was able to determine there were enough to resources to purchase the complete turn - key package including the non-Erate items. A requisition for \$90,661.92 was submitted.

All technology items have to be approved by the Bureau of Indian Affairs supervisory computer specialist, Mr. Stewart Ott.

After discussion with Mr. Ott and at his insistence the requisition was reduced on May 2, 2002 to \$40,362.05 to delete the phone system and the non-Erate items.

The contracting officer for the Bureau of Indian Affairs, Office of Indian Education Programs, Mr. Keith King could not proceed with a purchase order without written approval from Mr. Ott for the items requisitioned.

No. of Copies rec'd
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Subsequently, a new requisition of \$29,809.91 was initiated by Mr. Ott, or his office reducing the number of items even further.

The contracting officer was able to complete the purchase order on August 26, 2002 of which we received a fax copy on September 9, 2002. Requesting us to provide a copy to the contractor which we did by fax on September 10, 2002.

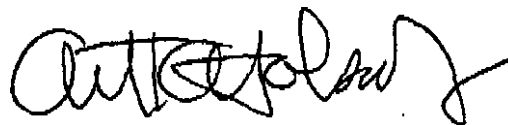
Clearly there was not enough time for the service provider to purchase the necessary supplies and equipment and complete the project by September 30, 2002.

The delays adversely affecting the students of Many Farms High School were caused by the bureaucracy of our organization, the Bureau of Indian Affairs, beyond the control of the service provider, Expanets.

We, therefore, request the Administrator grant the necessary extension to complete this project so the students of Many Farms High School may benefit from current technology which they so desperately need.

Thank you for your assistance.

Sincerely,



Arthur K. Hobson Jr.
Principal

U.S. Department of the Interior
Bureau of Indian Affairs

REQUISITION1. REQUISITION NO: N35E21-2-5932. DATE: May 9, 2002

Vendor Name & Address: xpanets ATTN: Pattie Larson or Sue Pyeatt 747 N. 7th St., Suite 150 Phoenix, AZ 85014 PHONE #: (877) 268-0189 FAX #: (602) 512-8111		4. Ship to (Name & Address): BIA - Many Farms High School P.O. Box 307 Many Farms, AZ 86538 ATTN: Business Office		5. Requested Delivery Date: June 9, 2002	
OTE: The accounting code strip must be entered below each Line No. Description in Block 7. Refer to the BIA Property Mook: Small Purchases: isitions Section.					
e. re No.	7. Description Accounting Code Strip	8. Qty	9. Unit	10. Unit Price	11. TOTAL
301.	INSTALLATION OF LAN DATA INFRASTRUCTURE: E-Rate service work for Year 4, per attached quote Reference: 471 Application #248888 Funding Year 4: 07/01/01 - 06/30/02 Reference: SLD funding request #606718 and 607000 TOTAL CONTACT AMOUNT: \$481,691.25 LESS: SLD funded 00% of eligible work: (433,622.13) Many Farms High School Co-Pay Amount \$48,169.12 None E-Rate Eligible Items: Telephone Sets 10,784.00 Wireless Connections 11,128.00 Voice Mail 20,580.50 TOTAL AMOUNT FOR MFHS: \$90,661.62 N35E21 01102 30010 25.2H JUSTIFICATION This project will encompass Expanets installing a state-of-the-art LAN data infrastructure utilizing fiber optic cabling to connect each building at gigabit speed. The project will upgrade and provide Many Farms H.S. with a data and telephone system current with the newest technology for the benefit of students. 90% of the e-rate service work will be funded by the Schools and Library Division (SLD) of the Universal Service Administration Company. Many Farms High School's share of the e-rate service work is \$48,169.12, plus the none e-rate items in the amount of \$42,492.50, a grand total of \$90,661.62.	1	LOT	\$90,661.62	\$90,661.62
12. TOTAL ESTIMATED COST					\$90,661.62

13. REQUESTED BY:

Arthur K. H.

(Title & Signature)

05/09/02

(Date)

14. I certify the above items are authorized for this program and funds are available.

Name / Title or Approving Official:

16. PROPERTY MANAGEMENT CERTIFICATION

(Title & Signature)

(Date)

(Approving Official's Signature)

(Date)

U.S. Department of the Interior
Bureau of Indian Affairs

REQUISITION

1. REQUISITION NO: N35E21-2-593

2. DATE May 9, 2002

3. Vendor Name & Address: Expanets 747 N. 7th St. Suite 150 Phoenix, AZ 85014 PHONE #: (877) 268-0189 FAX #: (602) 512-8111	4. Ship to (Name & Address): BIA - Many Farms High School P.O. Box 307 Many Farms, AZ 86538 ATTN: Business Office	5. Requested Delivery Date: June 9, 2002
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NOTE: The accounting code strip must be entered below each line No. Description in Block 7. Refer to the Property Management Handbook: Small Purchases, Requisition, Section.

P Line No.	7. Description Accounting Code Strip	8. Qty.	9. Unit	10. Unit Price
001.	INSTALLATION OF LAN DATA INFRASTRUCTURE: E-Rate service work for Year 4, per attached quote Reference: 471 Application #248886 Funding Year 4: 07101101 - 08/30/02 Reference: SLD funding request #606718 and 607010 TOTAL CONTACT AMOUNT: \$403,620.55 LESS: SLD funded 90% of eligible work: (363,258.50) Many Farms High School Co-Pay Amount: \$40,362.05 N35E21 01/02 30010 25.2H JUSTIFICATION: This project will encompass Expanets installing a state-of-the-art LAN data infrastructure utilizing fiber optic cabling to connect each building at gigabit speed. Ninety percent of the e-rate service work will be funded by the Schools and Library Division (SLD) of the Universal Administration Company. Many Farms High School's share of the e-rate work is \$40,362.05	1	LOT	\$40,362.05
12. TOTAL ESTIMATED COST				

13. REQUESTED BY:

Arthur K. Hobson Jr., Principal 05/09/02
(Title & Signature) (Date)

15. PROPERTY MANAGEMENT CERTIFICATION:

Except as noted, items are not available from sources under my control.

(Title & Signature)

(Date)

14. I certify the above items are authorized for this program and funds are available.

Name & Title of Approving Official:
Arthur K. Hobson Jr., MEHS Principal

 5/20/02
(Approving Official's Signature) (Date)



IN REPLY REFER TO:

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Office of Indian Education Programs
Office of School Operations
500 Gold Avenue SW, 7th Floor
P.O. Box 829
Albuquerque, New Mexico 87103-0X29

OIEP-School Operations

MAY 21 2002



Memorandum

To: Winnifred Peters, ELO - Ft. Defiance Education Office
Beverly Crawford, ELO - Chinle Education Office
Beatrice Woodward, ELO - Eastern Navajo Education Office

From: Edward Parisian, Deputy Director for School Operations

Subject: E-Rate Applications *Edward Parisian*

You have received guidance on the submittal of e-rate applications. I understand that the issue is the duplication of applications as Office of Indian Education Programs has submitted an application for all the schools. Expanet has been working with your schools on developing e-rate applications. I understand that Principals from your schools may be signing contracts with Expanet. This may be in violation of FAR. I need the following information submitted to me from your schools

- 1 A copy of the 471 form that was completed for each school application
- 2 Copies of Schedules A and B.
- 3 A list of all schools who may have signed contracts with Expanet

Please submit this information to my office by COB, Friday, May 31, 2002.

If you have any questions, please contact this office at (505) 248-6955. Thank you

cc: Director, OIEP

Acting Deputy Director Policy, Management & Budget
Stuart Orr, Supv. Computer Specialist
Jim Issues, Computer Specialist

FCC REVIEW OF THE ADMINISTRATOR'S DECISION

If you believe there is a basis for further examination of your request, you may file an appeal **with** the Federal Communications Commission (FCC): **FCC**, Office of the Secretary, **445-12th** Street SW, Washington, **DC 20554**. If **you** are submitting your appeal to the **FCC** by other than United States Postal Service, check the **SLD** web site **<www.sl.universalservice.org>** for more information. You should refer to CC Docket **Nos. 96-45** and 97-21 **on** the first page of your appeal **to the FCC**. Your appeal must be made in writing **and RECEIVED BY THE FCC** at the FCC address **above** **WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER**. Failure to meet this requirement **will** result in automatic dismissal of your appeal. Further information **and** new options for **filing** an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference area of the SLD web site.

We thank you for your continued support, patience, and cooperation during the request review process.

Schools **and** Libraries Division
Universal Service Administrative Company

cc: Todd Walker. Expanets of North America, LLC



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Implementation Extension Request

11/22/02

Arthur K. Hobson, Jr.
Many Farms High School
P.O. Box 307
Many Farms, AZ 86538

471 Application Number: 248686
Funding Request Number(s): 606718, 607000
Your Correspondence Dated: 10/28/02

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your implementation extension request. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your request included more than one 471 Application, please note that for each application you will receive a separate determination letter.

FRN(s): 606718,607000

Decision on extension request: Denied in full


Explanation: Request for extension was received after the original non-recurring services deadline of 9/30/02.

In accordance with the FCC Report and Order (FCC01-195) released on June 29, 2001, the Administrator may grant an extension of time for the implementation of non-recurring services if the implementation is delayed for circumstances beyond the named service provider's control. You have been unable to establish such circumstances.

08/08/02 08:41 FAX 5052468941

BIA 2.01E1

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ORDER FOR SUPPLIES OR SERVICES						PAGE 1 OF 3	
IMPORTANT: Mark all packages and papers with contract and/or order numbers.							
1. DATE OF ORDER 08/26/02		2. CONTRACT NO. (if any)		6. SHIP TO:			
3. ORDER NO. SMK0E020244		4. REQUISITION/REFERENCE NO. N35E21-2-593		a. NAME OF CONSIGNEE Many Farms High School			
5. ISSUING OFFICE (Address correspondence to) OIEP Branch of Contracts and Grants		7. TO:		b. STREET ADDRESS PO Box 307		c. STATE AZ	d. ZIP CODE 86538
a. NAME OF CONTRACTOR		b. COMPANY NAME Expanets		8. TYPE OF ORDER			
c. STREET ADDRESS 4747 N. 7th Street, Suite 150		d. CITY Phoenix		e. STATE AZ		f. ZIP CODE 85014	
8. ACCOUNTING AND APPROPRIATION DATA N35E21 01/02 30018 25.2 H		9. ACCOUNTING AND APPROPRIATION DATA		10. ACQUISITION OFFICE BIA-OIEP Many Farms High School			
11. BUSINESS CLASSIFICATION (Check appropriate box(es))							
<input checked="" type="checkbox"/> a. SMALL <input type="checkbox"/> b. OTHER THAN SMALL <input type="checkbox"/> c. DISADVANTAGED <input type="checkbox"/> d. WOMEN-OWNED							
12. F.O.B. POINT Destination		14. GOVERNMENT B/L NO.		15. DELIVER TO F.O.B. POINT ON OR BEFORE (Date) 09/30/02		16. DISCOUNT TERMS Net 30	
13. PLACE OF Destination		17. SCHEDULE (See reverse for Rejections)					
ITEM NO. (a)	SUPPLIES OR SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)	
0001	E-RATE 10% OBLIGATION DOCUMENT ONLY This purchase order is to obligate the required 10% of the E-Rate application that was approved by the science and Library Division (SLD) for the items identified on the attachment. No clauses are required on this purchase order since the only purpose is to obligate and pay the 10%. The OIEP Supervisory computer Specialist has approved this obligation.	1	JB		29,809.91		
18. SHIPPING POINT		19. GROSS SHIPPING WEIGHT		20. INVOICE NO.		17(h) TOT. (Cont. pages)	
21. MAIL INVOICE TO:							
a. NAME Many Farms High School, ATTN: Art Hobson							
b. STREET ADDRESS (for P.O. Box) POB 307							
c. CITY Many Farms		d. STATE AZ	e. ZIP CODE 86538			17(i) GRAND TOTAL \$29,809.91	
22. UNITED STATES OF AMERICA BY (Signature) 		23. NAME (Typed) KEITH A KING		TITLE: CONTRACTING/ORDERING OFFICER			

DATA TELECOMMUNICATIONS COMPONENTS - Wireless Cisco Components removed. Not approved

	Qty	Unit	Cost	Total
Many Farms - Building 1157/1156				
1 (#WS-C2950C-24) 24 10/100 Ports w/2 100BASE-FX uplinks, Catalyst Switch	4	Each	299.50	\$ 1,198.00
2 (#CAB-AC) Power Cord 100 Volt	4	Each	0	\$ 000.00
3 (#WS-C3530-12G) 10GBIC Ports and 2 10/100BaseT Ports	1	Each	999.50	\$ 1,999.00
4 (#CAB-AC) Power Cord 100 Volt	2	Each	0	\$ 000.00
5 (#05146005-4103) 1500VA UPS	2	Each	127.00	\$ 254.00
Many Farms - Building 1163/1167/1165				
6 (#WS-C2950C-24) 24 10/100 Ports w/2 100BASE-FX uplinks, Catalyst Switch	3	Each	299.50	\$ 898.50
7 (#CAB-AC) Power Cord 100 Volt	3	Each	0	\$ 000.00
8 (#05146012-4103) 700VA UPS	3	Each	79.50	\$ 238.50
Many Farms - Building 1168/1162/1166				
9 (#WS-C2950G-24-EI) 24 10/100 Ports w/2 GBIC Slots, Catalyst Switch Enhanced Image	3	Each	299.50	\$ 898.50
10 (#CAB-AC) Power Cord 100 Volt	3	Each	0	\$ 000.00
11 (#05146012-4103) 700 VA UPS	3	Each	79.50	\$ 238.50
Many Farms - Building 1164/Room 103				
12 (#WS-2950G-24-EI) Catalyst 2950, 24 Port w/2 GBIC Slots, Enhanced Image	2	Each	299.50	\$ 599.00
13 (#CAB-AC) Power Cord 100 Volt	2	Each	0	\$ 000.00
14 (#WS-2950G-24-EI) Catalyst 2950, 48 Port w/2 GBIC Slots, Enhanced Image	2	Each	499.50	\$ 999.00
15 (#CAB-AC) Power Cord 100 Volt	2	Each	0	\$ 000.00
16 (#WS-X3500-XL) Gigastack GBIC	4	Each	25.00	\$ 100.00
17 10 GBIC ports and 2-10/100/1000Base T Ports	2	Each	999.50	\$ 1,999.00
18 (#05146005-4103) 1500VA UPS	2	Each	127.00	\$ 254.00
Many Farms - Building 1161/Room 125/Room 109				
19 (#WS-C2950G-48-EI) 48 10/100 Ports w/2 GBIC Slots, Catalyst Switch Enhanced Image	3	Each	299.50	\$ 898.50
20 (#CAB-AC) Power Cord 100 Volt	3	Each	0	\$ 000.00
21 (#05146012-4103) 700 VA UPS	3	Each	79.50	\$ 238.50
TOTAL DATA (RATE PERCENTAGE 10%)				\$10,813.00
EXPANET DISCOUNT (25%)				
SUB-TOTAL DATA				\$8,109.75
Server Components				
22 DELL POWEREDGE SERVERS CONFIGURED AS FOLLOWS: 2-1 GHz Processors w/256K Cache Each - P3 XEON 1 GB SDRAM (4 X 256MB, 133 MHz Bus; Deluxe Windows Keyboard 17" Monitor; 2x9G, 10K 1.0-/US Hard Drives w/Cage; Additional 4x18GB 10,000 RPM Hard Disk Drives; PERC2 Raid Card 128MB Cache - 2 In 2-Ext; Additional Add-in RAID 5/ Raid 0 2nd Channel to Cage; 1.44MB Floppy Disk Drive; Microsoft Windows Advanced Server 2000; Logitech System Mouse; 2 - Interl Pro 100 Plus Network Interface Cards; 20/40 GB External Backup Drive with 2940; 17/40XSCSI CDROM; 8 Bay Hard Disk Drive Cage; Electronic Documentation Tower Option; Redundant Power Supply; UPS 1400VA; NBD Parts and Labor Maintenance YRI, NBD Parts and Labor YMS2 and 3 SUB-TOTAL SERVER	4	Each	1369.10	\$ 5476.40
Cabling Components				
23 As described in Campus Backbone SOW	1			\$ 1,664.40
Material	1			\$ 1,859.78
Labor	1			
24 As Described in Voice and Data Cabling Infrastructure SOW	1			\$ 3,143.56
Voice Material	1			\$ 3,875.52
Voice Labor	1			\$ 650.80
Data Material	1			\$ 1,192.90
Data Labor	1			
As described in Voice and Data Cabling Infrastructure SOW - Bldgs 1156 1166, 1168, 1162 and 1164	1			\$ 812.00
Material	1			\$ 1,024.80
Labor	1			\$16,223.76
SUB-TOTAL CABLING				\$29,809.91
GRAND TOTAL				

09/09/02 08:41 FAX 5052488941

BIA / OIE

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United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
OFFICE OF INDIAN EDUCATION PROGRAMS

500 Gold Street SW, 7th floor, PO Box 829
Albuquerque, New Mexico 87103
Phone: (505) 248-6943 Telefax: (506) 248-6941

(990902 rec)
DL
ML
Lewis
CB
Bernie
Revis
BS

***** FAX COVER SHEET *****

TO: Art Hobson

ORG/OFFICE: Many Farms High School

TEL NO: (928)781-6297

FAX NO: (928)781-6355

NO OF PAGES: 4
(Including this page)

DATE: 9/9/02

Art. see the attached purchase order for the 10% E-Rete obligation. Please provide a copy to the contractor. If you have any questions give me a call. Thanks, Keith.

